From: Jordan Hayward <jordanhayward@gmail.com>
Sent: Wednesday, February 17, 2010 12:09 AM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Mr. Secretary,
The proposed changes restricting leverage from 100:1 to 10:1 is a major mistake and will only hurt those personal individual investors rather than protect them. I understand your belief that by lowering the amount of leverage an individual may utilize will protect them from extreme market fluctuation, but any investor today using this investment avenue is keen to use common stop strategies. Protecting them from losses greater than their initial investment. We are aware of the risks and continue to trade in these markets. If you were to further restrict us in how we trade you will only throttle our ability to make a living during these down economic times. Please reconsider your options in protecting investors and withdraw this suggested regulation.

Regards,
Jordan Hayward
801-450-2575
jordanhayward@gmail.com

From: Louise Cardon <weeziecard490@hotmail.com>
Sent: Wednesday, February 17, 2010 12:52 AM
To: secretary <secretary@CFTC.gov>
Subject: regulation of retail forex

Please do not change the leverage requirement from 100-1 to 10-1 for retail forex traders. I have worked hard and long to finally come up with a trading strategy that works. It has taken me three years. The income I earn goes back in to economy as I am a single mother with two kids trying to earn money from home. It would be extremely difficult for me to come up with 10 times the amount of money to fund my account. This rule is going to cause a lot of margin calls for the small time traders. Also U.S. jobs will be lost as traders move account overseas just to survive.
Thank you, Jolene Iddison

From: rob james <moredelta@gmail.com>
Sent: Wednesday, February 17, 2010 9:01 AM
To: secretary <secretary@CFTC.gov>
Subject: forex margin change

it makes no sense to change your forex max margin. it will force u s traders to move their trading accounts offshore. you can not control the world. thank god.

rob james
sarasota fl

From: Robert James <moredelta@yahoo.com>
Sent: Wednesday, February 17, 2010 9:03 AM
To: secretary <secretary@CFTC.gov>; secretary <secretary@CFTC.gov>
Subject: forex margin change

it makes no sense to change your forex max margin. it will force u s traders to move their trading accounts offshore. you can not control the world. thank god.

rob james
sarasota fl

From:	triffx@gmail.com on behalf of Triffany Hammond <Triffany@Triffx.com>
Sent:	Wednesday, February 17, 2010 11:13 AM
To:	secretary <secretary@CFTC.gov>
Subject:	Regulation for Retail Forex

Dear Mr. Stawick,

It is very clear to me that deregulation and loosened leverage requirements have led, over time, to the irresponsible behavior of corporations and banks that have been the driving force behind the economic collapse.

While it does makes sense to evaluate instituting regulation and leverage limitations I fear that by doing so in the proposed manner, with a blanket leverage limitation to 10:1, the government removes one of the few ways left for the individual trader to reap the benefits for income growth that has only been available to large fund traders so far.

The retail trader relies, heavily, on the ability to control large amounts of money with small accounts in order to make profits enough to grow the account.

With the onslaught of job losses and decline in average income, more and more people are turning to alternative ways to make money. Trading is one of those ways and with proper guidance and support for their learning curve people who have developed a system and learned to trade it well should be rewarded by the opportunity to make the most profit possible.

I encourage you to reconsider this blanket application of the leverage limitation and take into account Joe Public and how limiting this is to his ability to seek alternate means during such dramatic job losses.

Restrictions like this are brilliant moves that work the US toward long-term recovery and stability. But they're going to *feel* like one more rejection of the middle class's attempt at wealth creation. Further rejection of the middle class will lead to more support for the types of "government needs to get out of our pockets" mindset that makes them vote for deregulation in the first place.

Please reconsider.

Be good to you!

Triffany Hammond

Forex Trader and Teacher

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The risk of loss in trading securities, options, futures and forex can be substantial. Customers must consider all relevant risk factors, including their own personal financial situation, and ability to handle risk before trading. Forex, including Forex Options, involves risk and are not suitable for all investors. Trading foreign exchange on margin carries a high level of risk, as well as its own unique risk factors. Please read the following risk disclosure before considering the trading of this product: Forex Risk Disclosure

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From: triffx@gmail.com on behalf of Triffany Hammond <Triffany@Triffx.com>
Sent: Wednesday, February 17, 2010 11:15 AM
To: secretary <secretary@CFTC.gov>
Subject: Fwd: Regulation of Retail Forex

Dear Mr. Stawick,

It is very clear to me that deregulation and loosened leverage requirements have led, over time, to the irresponsible behavior of corporations and banks that have been the driving force behind the economic collapse.

While it does makes sense to evaluate instituting regulation and leverage limitations I fear that by doing so in the proposed manner, with a blanket leverage limitation to 10:1, the government removes one of the few ways left for the individual trader to reap the benefits for income growth that has only been available to large fund traders so far.

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Please reconsider.

Be good to you!

Triffany Hammond

Forex Trader and Teacher

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From: steve kunkler <kunklersteve@yahoo.com>
Sent: Wednesday, February 17, 2010 11:29 AM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex
Attach: comments final.wps

Attached please find comments on the proposed regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries. I would request that my comments are posted without any personal information. I do however remain available to help the CFTC or any other authority in a less public forum.

From: Carlos Ney <carlosneyjr@hotmail.com>
Sent: Wednesday, February 17, 2010 11:41 AM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

I am investor in the Forex Interbank FX, live in Brazil and I am against changing the rules of forex leverage to get 10:1 with this will happen I have wanted to switch to other brokers in countries that remain with 100:1 leverage .

Carlos Ney,
Brazil

From: Rishikesh Kondap <rishikondap@yahoo.com>
Sent: Wednesday, February 17, 2010 1:47 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

This is regarding the proposed new rule to set maximum leverage to 10:1 for retail forex traders in the US...

I oppose this proposed rule, as I believe that this would drastically reduce trading, especially for those traders who do not have much capital. Better option is to educate traders about the potential risk of leverage, but not tie down those who understand and are willing to take the risk. Traders should have the right to decide for themselves what works and what does not.

From: bob <family@rdesisto.com>
Sent: Wednesday, February 17, 2010 3:28 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail FOREX
Attach: CFTC proposed RIN 3038.doc

Bob DeSisto

CFTC proposed Regulation of Retail FOREX -- RIN 3038-AC61

Most people understand the need for and support the regulatory process.

For example, traffic laws promote driving safety and building codes protect people by enforcing standards for safety. Most people would argue that traffic laws are not there to prevent driving or building codes to prevent building.

The CFTC is there to enforce laws passed by Congress and to ensure fair and orderly operation of the markets. Its job is not to eliminate a market or to favor one market over another or to mandate who can or cannot participate in a market (unless mandated by law). **This, however, is exactly what the proposed new regulations will accomplish.**

Some of the recent changes mandated by the NFA were not only unnecessary but also harmful to the retail FOREX market. It was especially harmful to brokers who had to scramble to retool software and to new traders exposed to higher risk. It also drove many traders out of the country to non-US brokers.

The CFTC proposal will expand this process of hurting United States retail FOREX. Beginning retail traders who could trade risking 1% of their accounts per trade will now be forced to risk 10% of their accounts per trade in order to see the same profit potential on a trade. The lower 'risk of ruin' using higher leverage gives traders time to learn the skills necessary to trade successfully. Correct money management, especially for inexperienced traders, is easier with higher leverage.

I will simply not be able to earn a living using NFA/CFTC regulated brokers. If I want to stay in the FOREX market, I'll be forced to face additional risk because I will be driven from a poorly regulated U.S. market.

With the 10:1 leverage proposal, the trickle of U.S. capital to out-of-country brokers will expand into a flood.

When I first began trading retail FOREX, I looked for NFA/CFTC regulated retail FOREX brokers. If these new regulations are implemented, these will be retail FOREX brokers I will avoid.

Sincerely,

Robert A. DeSisto
Austin, Texas

From: Dianne Fecteau <dianne@kendiacorp.com>
Sent: Wednesday, February 17, 2010 3:55 PM
To: secretary <secretary@CFTC.gov>
Subject: RE: Regulation of Retail Forex (RIN 3038-AC61)

Why are you not displaying all comments received on your public website of comments? Mine is not there nor are others that I'm aware of that were submitted. I have perused the following website: http://www.cftc.gov/lawandregulation/federalregister/federalregistercomments/2010/10-001.html

Dianne Fecteau, CMT

From: secretary [mailto:secretary@CFTC.gov]
Sent: Tuesday, January 19, 2010 9:04 AM
To: dianne@kendiacorp.com
Subject: RE: Regulation of Retail Forex (RIN 3038-AC61)

Your submission has been received by the Commodity Futures Trading Commission. Please be advised that this acknowledgement does not constitute either Commission approval of the subject proposal or a determination that the proposal is consistent with the Act and the regulations thereunder.

From: dianne@kendiacorp.com [mailto:dianne@kendiacorp.com]
Sent: Monday, January 18, 2010 12:49 PM
To: secretary
Subject: Regulation of Retail Forex (RIN 3038-AC61)

I am writing to object to the proposed regulation of retail Forex traders (**RIN 3038-AC61**). Specifically, I object to the provision that states, "Leverage in retail forex customer accounts would be subject to a 10-to-1 limitation."

While I understand you see increasing margin requirements as increasing consumer protection, the result will be the opposite of what you intend because this provision would drive small retail traders to offshore brokers who are not subject to any regulation. As a result, they may be in danger of losing all their money, regardless of any specific trading decisions they make, because of unethical brokers.

In addition, the retail Forex market is comprised of many different levels of individuals. Your proposed rule does not allow for this. For example, I have passed the three exam series from the Market Technician Association and have been awarded my Chartered Market Technician (CMT) letters. I also have five years of trading experience as an independent trader. I should not be subject to a 10-to-1 limitation and have no idea why you think this would be protective of me. It will prevent me from moving profits out of my trading account on a regular basis because I would need additional capital to maintain margin requirements. The result would be that I would have more money, not less, at risk at any given time.

Finally, it is tempting to say that the small retail trader is most at risk in trading because they're uninformed. This, however, is a questionable statement based on various studies. Research has found that mutual fund managers, newsletter writers, Wall Street strategists, and investment advisors make the same behavioral errors in the financial marketplace as the "uninformed public" does. One only has to look at the behavior that led to the financial crisis of 2008 to know this is true as regards risk. While the response might be that these people can afford it, I remind you that it was the public's money used to bail out the financial institutions.

Rather than a blanket requirement of 10-to-1 leverage, it would be more appropriate to require some sort of training for those who intend to trade, even if this was only confined to risk management issues as opposed to a more general how to trade approach. Traders who could not show sufficient training or experience could be required to pass an online exam that would show they understand risk and money management. The individuals could be assessed a fee for this so that the cost would be borne by those who wished to trade. Brokers could not open an account unless the individual could show proof of passing this exam. This would do more to limit risk than to have a blanket provision such as 10-to-1 margin requirements. This is no different from requiring a driver's license for someone who wishes to drive.

Dianne Fecteau
PO Box 942
Crystal Beach, FL 34681
727.366.1392

From: Darrell Fischer <DarrellF@cygnus-sys.com>
Sent: Wednesday, February 17, 2010 4:35 PM
To: secretary <secretary@CFTC.gov>
Subject: Re: Regulation of Retail Forex
Attach: Darrell Fischer.vcf

Hello,

I want to thank you for your efforts in regulating the forex market. I trade the forex on a daily basis. I do have a full time job as a computer consultant. The forex allows me to trade on a part time basis and helps me pay for extra's in life. I plan to do this full time when I retire. My concern is in reference to the regulation of retail forex. Here is the number **RIN 3038-AC61.**

I would ask that you do not change the 100:1 to 10:1. This would limit and hurt my trading abilities.

Thank you....

CYGNUS
Darrell Fischer
Service Manager
Cygnus Systems, Inc.

(313) 291-4900 x122 Work
25650 Goddard Road
Taylor, Michigan 48180
www.cygnus-sys.com
DarrellF@cygnus-sys.com

From: Wanda Walker <wgw3@bellsouth.net>
Sent: Wednesday, February 17, 2010 4:49 PM
To: secretary <secretary@CFTC.gov>
Subject: regulation of Retail Forex

RIN 3038-AC61:
I am mainly opposed to the new proposed rule changes to set maximum leverage to 10:1 for retail forex traders in my opinion it will put a glass ceiling over the little guys such as myself who is taking the time to educate oursleves and practice in applying discipline trading techniques. The rule changes for brokers and such entites to be regulated sounds like a good idea but what kind of effect will that have on us small guys once again who is trying to get to that level.

Corinthian

From: frank ding <tandding@gmail.com>
Sent: Wednesday, February 17, 2010 5:35 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Dear Sir,

I just notice you proposed new rules for off-exchange retail foreign exchange. The proposed rules call for restricting leverage to 10-to-1. As a FXCM LLC client, I think the rule is counterproductive in the marketplace.

I am aganist the proposal.

Please consider the new regulation twice.

Thanks.

Tan

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From: Larry Ellsworth <elarry19@yahoo.com>
Sent: Wednesday, February 17, 2010 6:47 PM
To: secretary <secretary@CFTC.gov>
Subject: regulation of retail forex

CFTC Member

I am a 60 year old working man. All of my retirement investments are almost gone do to resent economic events. I have been investing in the Forex for the last 3 years with a little money whenever I could. I am at a point now in my forex trading that I could support myself and my wife in our retirement days. I ask you to NOT CHANGE THE MARGIN LEVEL as it is at this time, for this would take our retirement income opportunities away. We do not want to live under a bridge or be a burden on a public support system, that is already stretched to the point of breaking.

Regards

Larry Ellsworth

From: Mr .wang <fhfxchina@yahoo.cn>
Sent: Wednesday, February 17, 2010 6:48 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Dear Sir/Madam,

I am a forex trader in China and I have been using US brokers for several years and very satisfied. Compared with other countries brokers, the aspects of US counterparties appealing me, which I think apply to other countries clients also, are:
1, Strong and respectable regulation bodies,
2, Sound and sophisticated financial infrastructure,
3, US as a country have a tradtion for the protection of international investors,
4, US based forex firms are generaly more financially solid and well-managed.
Regarding your recently regulation proposal, I fully agree to enhance industry oversight, but I don''t like put any restrictions on leverage. Leverage is a very important tool for us seeking financial freedom as your Amercian, and lowering leverage dramatically like this will not only hurt our clients feeling but also drive us to other countries (ie. unregulated) brokers despite above advantage. This is not a win-win situation, it''s a lose-lose situation that you probably wouldn''t expected. Please reconsider your proposal.
Regards,
Amy

From: Lavonna Arms <lrarms4x@yahoo.com>
Sent: Wednesday, February 17, 2010 9:03 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

It is my understanding that one of the proposed changes you are considering would radically lower Forex leverage from 100:1 to 10:1 for all NFA and CFTC regulated Forex firms. The impact of these new requirements for an individual FOREX trader could be significant.

I have started with a very small account and currently trade 1 micro lot per trade with the intention of increasing the size of each trade as my account grows. If you reduce the leverage, I won't have enough money in my account to continue trading. I have invested a lot of time and money to learn how to trade the Forex market. What attracted me to the Forex market was the fact that I could start with a small account and gradually build it up over time. If you reduce the leverage, I won't have enough money in my account to continue trading.

I understand the risks of trading the Forex market, and I am disappointed that a government agency is considering making a change which will make it impossible for me to continue trading, after all the time, effort and money I have invested. I respectfully request that you NOT change the leverage from 100:1 to 10:1.

Thank you,
Lavonna Arms
8000 North 8th Avenue
Phoenix, AZ 85021
602-663-3537
lrarms4x@yahoo.com

From: Jay Holmes <jayholmes@ca.rr.com>
Sent: Wednesday, February 17, 2010 9:29 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Re: RIN 3038-AC61

Dear Secretary Gary Gensler -

It has been reported to me that you are considering reducing the FOREX trading margin ratios so as to reduce the size of the potential gains per trade. This is just a devious method to stop the flow of commodity traders from moving to FOREX, a superior more honest game than futures. I happily switched long ago.

The FOREX market does not impact the retail consumer the way speculators and brokers in the commodity markets impact the retail consumer. Businesses need the commodity futures markets to hedge their finances, only banks and similar institutions need the FOREX market.

Any FOREX trader can reduce his risk by choosing a lower safer ratio any time he wants, he doesn't need to be forced to lower it by government decree (I never used the 400:1 as it was too high, 200:1 is just right for me).

Fix the real problems with the Commodity Market and leave the FOREX ratios alone.

Respectfully,

Jay Holmes

From: Frank Byers <fdb40@yahoo.com>
Sent: Wednesday, February 17, 2010 10:44 PM
To: secretary <secretary@CFTC.gov>
Subject:

Frank Byers

Hello,

As a Forex trader I am aghast at plans to limit retail forex leverage to 10:1. People will just open accounts overseas

and get the full leverage and people who work in this industry in the United States will lose their jobs. This

will also have an impact on the US dollar and will reduce US tax collection as many foreign governments don't

report earnings.

Thus 10-1 will basically cost thousands of US Jobs and hundreds of millions in tax revenues. Is there any sign

of intelligence running the CFTC or are you all just a bunch of idiots? Seriously! If the goal is to reduce the odds

of new traders losing all their money then you should have a graduated leverage based on capital in account.

Under $2,000 give traders 25:1 or up to 50:1 and for accounts over $5k or $10k give the entire 100:1 leverage.

It's only the dipshit traders with a few hundred dollar accounts you should hit by this stupid rule. Leave the

professional traders alone with the leverage they need. Any good trader risks no more than 2% of their

account and if you're a scalper doing multiple trades at once THIS RULE WILL HURT their money management

algorithms and thus cause the very thing you hope to prevent, LOSSES.

Another solution is to HARD CODE maximum losses of 50 pips. I personally limit my losses when wrong to

10-15 pips max thus trading more lots and when I'm right my trades go 25 to 100 pips. Cutting leverage

drastically will change how I trade, that is until I open a foreign account which EVERY experienced trader

will do. This rule is idiotic and I'd like a response as to the reasons behind it?

Retail Forex Trader

From: Daniel Ford <temporal@insightbb.com>
Sent: Wednesday, February 17, 2010 11:12 PM
To: secretary <secretary@CFTC.gov>
Subject: Proposed Regulation of Retail Forex, RIN 3038-AC61 (2 of 2)

To:

Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street NW
Washington, DC 20581

Subject:

Proposed Regulation of Retail Forex, RIN 3038-AC61 (2 of 2)

Dear Sirs or Madam:

I wish to amplify the key points raised in my previous comments and include some additional suggestions:

1. Combating unscrupulous Forex brokers is good for the legitimate retail Forex industry, but misguided leverage rules risk destroying the U.S. retail Forex industry and driving business overseas, perhaps to those very same types of disreputable Forex brokers the CFTC is attempting to combat. Furthermore, misguided leverage rules risks costing the U.S. good paying jobs and tax revenue at a time both are sorely needed.
2. Forex is far <u>less</u> volatile than other securities and commodities (<20%), therefore 100:1 leverage in Forex is <u>not</u> the same as 100:1 or even 20:1 leverage in stocks or commodities. Not only are most Forex currencies priced at 1/100th cent (.0001), but because of the very low volatility the leverage is required to make retail Forex possible.
3. Most Forex brokers institute protections to keep their clients from losing more than their original deposit, unlike other leveraged products such as futures or stocks. Therefore, while a margin call is theoretically possible, institutional protections are in place at most brokerages to prevent that from ever occurring.
4. The proposed Forex margin rules, if implemented, may have the opposite effect and increase risk by driving retail traders to other products that do not have the same desirable characteristics and protections that retail Forex currently enjoys.
5. If the CFTC wishes to protect retail Forex customers from unreasonable risks, rather than limit essential margin, the following are some suggested actions:
   - Require stop losses to be part a component in every opening order, or require brokers to automatically set a stop loss order at 10% of the client's account balance. In the alternative, require all Forex brokers to implement risk mitigation protocols to achieve the same.
   - Require all retail Forex brokers to guarantee and honor stop loss orders.
   - Require all retail Forex brokers to liquidate positions before an account reaches a zero balance (no negative balance permitted.)
   - Prohibit retail Forex brokers from trading against their own clients (i.e. require "non-dealing" desks to fill orders.)
   - Enact regulations to ensure the accuracy and consistency of quoted prices provided by retail Forex brokers.
   - Require retail Forex brokers to fill orders at or better than the quoted price (no slippage from quoted.)
   - Require retail Forex brokers to provide current and future clients with "plain English" summaries of core rules, company practices, and policies.
   - Require retail Forex brokers to provide, and require that all new clients pass, a 50 question on-line exam before engaging in live trading. Questions could cover how margin works, different order types, and applicable brokerage policies, etc.

Thank you for your consideration in this matter.

Sincerely,

Daniel Ford